

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ANDREW L. COLBORN,

Plaintiff,

-vs-

Case No. 19-CV-0484

NETFLIX, INC., et al.,

Defendants.

* * * * CONFIDENTIAL * * * *

Video-Recorded Examination of
KENNETH PETERSEN, taken at the instance of the
Defendants, under and pursuant to the Federal Rules
of Civil Procedure, before Sarah M. Gilkay, a
Certified Realtime Reporter, Registered Merit
Reporter, and Notary Public in and for the State of
Wisconsin, at GODFREY & KAHN, S.C., 833 East Michigan
Street, Suite 1800, Milwaukee, Wisconsin, on
May 19th, 2022, commencing at 10:14 a.m. and
concluding at 2:45 p.m.

Job No. CS5223455



1 sheriff's department to being its own --

2 A It's own --

3 Q -- standalone department that encompassed
4 different -- different groups, including the
5 sheriff's department, but also things like the
6 fire department?

7 A Yes.

8 Q Okay. Do you have any -- do you have any
9 experience with the way those dispatch records
10 were kept in the early 2000s?

11 A You mean in a call logger or dispatch sheet when
12 they dispatch vehicles to scenes or whatever?

13 Q Let's -- let's start with the call logger.

14 A The call logger would record any call that comes
15 in and goes out.

16 Q And how about the dispatch sheet that you
17 mentioned?

18 A I don't think they do it on paper anymore. They
19 do it on computer. But it would -- it would log
20 the activity. So if somebody was dispatched to
21 a scene, it would show up they were dispatched
22 to a scene. It would show what they requested
23 once at the scene, whether it's ambulance,
24 coroner, whatever, and then it would show when
25 they clear the scene or if they requested, you

1 record. The time is 2:25 p.m.

2 (Recess taken.)

3 THE VIDEOGRAPHER: And we are back on
4 the record. The time is 2:32 p.m.

5 BY MR. VICK:

6 Q Sheriff Petersen, you testified previously that
7 you believed that the Teresa Halbach
8 investigation fell -- originally fell into
9 Calumet County maybe based upon where she was
10 based out of; is that right?

11 A Correct.

12 Q Once the body was found in Manitowoc County,
13 would that have normally shifted it over to the
14 Manitowoc County Sheriff's Department as being
15 lead investigators?

16 A It would have under normal conditions, but
17 because of me being recused, it was handed back
18 over to them so that we wouldn't view -- or they
19 wouldn't view it as any improprieties.

20 Q So they found that you had a conflict of
21 interest potentially, and that's why it got sent
22 back to Calumet County?

23 A Both -- both myself and the DA's office.

24 Q I see. What about the Sheriff's Department
25 beyond you, was there an understanding that

1 there was some conflict of interest that the
2 Sheriff's Department -- Manitowoc County
3 Sheriff's Department had?

4 MS. BARKER: Objection. Foundation.

5 THE WITNESS: Not that I'm aware of.

6 BY MR. VICK:

7 Q Now, Calumet County, is it also true that the
8 Wisconsin DCI was, you know, co-lead
9 investigative --

10 A Yes.

11 Q -- body with them?

12 And DCI has a lot of personnel; right?

13 MS. BARKER: Objection. Foundation.

14 THE WITNESS: I have no idea how many
15 they have.

16 BY MR. VICK:

17 Q I believe you testified that Calumet County is
18 relatively small; right?

19 A Well, as far as their Sheriff's Department
20 budget. The county itself, you know, area-wise
21 would be about the same as Manitowoc, I think.

22 Q I see. But in terms of the size of their
23 Sheriff's Department, they're smaller than
24 Manitowoc, for example; right?

25 A Yes.

1 MS. BARKER: Sure. And I'll see if --

2 MS. FENZEL: April, is this -- was
3 this also tagged as Exhibit 57, you said?

4 MS. BARKER: Yes. It's Exhibit 57.
5 The only difference is the top page has -- 66
6 has a certification from the Manitowoc County
7 Sheriff's Department.

8 MR. FRIEDMAN: So that has not been
9 used in a deposition before?

10 MS. BARKER: I believe 57 was, which
11 is everything except for this top page.

12 MR. FRIEDMAN: Okay. But you marked
13 it 66 for today?

14 MS. BARKER: Someone from the Conway
15 Olejniczak office did, yes.

16 MR. FRIEDMAN: Okay.

17 MR. VICK: I'm going to object to this
18 on the basis that it was not produced in
19 discovery, and I don't believe it's been used or
20 authenticated in any previous depositions
21 either. I do recall it being on the exhibit
22 list I believe for Ms. Demos's deposition, but I
23 don't believe it was ever used.

24 THE WITNESS: That's it there.

25 MS. BARKER: I think it was actually

1 used. Yeah. Exhibit 57. It's the same thing,
2 except it has a certification. We could use
3 that page right there, that 57. It's fine with
4 me.

5 MR. VICK: I'm still going to object
6 on the basis it's never been produced in
7 discovery.

8 MS. BARKER: Actually, I'm pretty sure
9 it was, but I -- I don't have the Bates number,
10 but I'm pretty use sure a copy of that was
11 Bates-stamped and produced.

12 MR. VICK: I don't know the answer.
13 I've made my objection.

14 MS. BARKER: Sure. Okay.

15 BY MS. BARKER:

16 Q And so my question, Sheriff Petersen, after all
17 that buildup is really very simple.

18 Is this document a copy of -- or
19 strike that.

20 Do you recognize this document as the
21 type of narrative dispatch log from Manitowoc
22 County that was used at the time you were
23 sheriff of Manitowoc County?

24 A Yes.

25 MS. BARKER: Okay. That's all I have.